



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 09/373,272  
Filing Date: August 12, 1999  
Applicant(s): AUSTIN-PHILLIPS et al.

Group Art Unit: 1635  
Examiner: Epps Ford, Janet L.  
Attorney Docket No.: 09820.114

Title: **TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE  
OF LIGNOCELLULOSIC-DEGRADING ENZYMES**

**FINAL DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner:

The inventors declare (1) that they are the inventors named in the above-referenced application; (2) that they have read the claims allowed in the above-referenced application; and (3) that the subject matter of said claims was part of the original invention.

The undersigned inventors declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Aug 2, 2004 Inventor: Sandra Austin-Phillips  
Sandra Austin-Phillips

Date: Aug 2, 2004 Inventor: Richard R. Burgess  
Richard R. Burgess

Date: Sept 10, 2004 Inventor: Thomas L. German  
Thomas L. German

Date: Aug 9, 2004 Inventor: Thomas Ziegelhofer  
Thomas Ziegelhofer



## ALLOWED CLAIMS

27. [AMENDED] A genetically recombinant tobacco or alfalfa plant which is stably transformed to contain and express a gene sequence which encodes *T. fusca* cellulase E2.
28. [AMENDED] A genetically recombinant tobacco or alfalfa plant which is stably transformed to contain and express a gene sequence which encodes *T. fusca* cellulase E3.
31. [NEW] The genetically recombinant plant of Claim 27, which is alfalfa.
32. [NEW] The genetically recombinant plant of Claim 27, which is tobacco.
33. [NEW] A method for producing cellulose-degrading enzymes comprising cultivating a genetically recombinant plant according to Claim 27.
34. [NEW] The method of Claim 33, further comprising concentrating the cellulose-degrading enzymes.
35. [NEW] A method of ensilement comprising ensiling a plant according to Claim 27, whereby cellulose-degrading enzymes produced by the plant increase nutritional value of silage.
36. [NEW] The genetically recombinant plant of Claim 28, which is alfalfa.
37. [NEW] The genetically recombinant plant of Claim 28, which is tobacco.
38. [NEW] A method for producing cellulose-degrading enzymes comprising cultivating a genetically recombinant plant according to Claim 28.
39. [NEW] The method of Claim 38, further comprising concentrating the cellulose-degrading enzymes.
40. [NEW] A method of ensilement comprising ensiling a plant according to Claim 28, whereby cellulose-degrading enzymes produced by the plant increase nutritional value of silage.